



## CITY OF WILLIAMSBURG

### MEMORANDUM

---

**TO:** Mayor and City Council

**DATE:** December 6, 2006

**SUBJECT:** Comprehensive Plan Implementation

**Residential Density Changes – Center City South**

- PCR #06-025 – LB-3 Zoning Text Amendment (Multifamily as sup use, 14 units/net acre with sup)
- PCR #06-026 – New RS-3 District
- PCR #06-027 – Rezoning N. Henry St./Scotland St. area from RDT to RS-3
- PCR #06-028 – RDT Zoning Text Amendments (22 units/net acre with sup)
- PCR #06-029 – Rezoning west side of S. Henry St. south of S. Boundary St. from RM-1 to RDT

This package of changes will implement the recommendations of the 2006 Comprehensive Plan for increasing the residential density in the Center City South area (South Henry Street south of Ireland Street). The residential density will be increased in designated areas to allow an increase of up to 14 or 22 units/net acre with a special use permit approved by City Council. The 2006 Plan specifically states:

*The Center City Focus Area's residential component is an important part of the City's character, and a major determining factor is the density that is allowed for new development and redevelopment. The densities that are now allowed in the Center City area range from 8 to 14 dwelling units/net acre. Higher residential densities are appropriate in some areas, and will help to make downtown Williamsburg a more vibrant and viable area for both living and shopping. A 22 dwelling unit/acre density goes back to the City's 1953 Comprehensive Plan, and was used prior to 1991. This is an appropriate net acreage density to consider today for the Downtown Business and Mixed Use land use categories that include Merchants Square and the areas to the west and north (implemented by the B-1 Downtown Business District and LB-1 Limited Business Downtown District). The base density for these areas should be 8 dwelling units/net acre, with up to 22 dwelling units/net acre allowed with a special use permit. A maximum of 10 dwelling units should be allowed on an individual lot, which will allow for a reasonable number of units on second and third floors while discouraging large apartment complexes. The Center City area south of Merchants Square, which is more residential in character, should have a residential density based on the existing zoning along South Boundary Street (8 and 14 dwelling units/net acre,*

*implemented by the existing RM-1 and RM-2 Multifamily Dwelling Districts). The Office land use area along South Henry Street and Newport Avenue (implemented by the LB-3 Limited Business Neighborhood District) should have a base density of 8 dwelling units/net acre, with up to 14 dwelling units/net acre allowed with a special use permit. The area on the west side of South Henry Street south of South Boundary Street, however, has a different character. It is located on a designated entrance corridor, and is across from the William and Mary Law School. It also has the potential of being redeveloped in several larger parcels, instead of on a lot by lot basis. Because of these characteristics, this area should have a base density of 8 dwelling units/net acre, with up to 22 dwelling units/net acre allowed with a special use permit.*

The proposed changes to the Zoning Ordinance are summarized below:

#### **PCR #06-025 – LB-3 ZONING TEXT AMENDMENTS**

This change amends the text of the LB-3 Limited Business Residential District by allowing residential density to be increased to 14 dwelling units/net acre with a special use permit approved by City Council. A density of 8 dwelling units/net acre will be allowed by right. The text will also be amended to allow multifamily dwellings with a special use permit. Presently, the LB-3 District allows single family detached dwellings and duplexes by right, and townhouses with a special use permit. Adding multifamily dwellings (apartments or condominiums) as a special use permit will make this district consistent with the uses allowed in the new RDT District.

#### **PCR #06-026 – CREATION OF A NEW RS-3 DISTRICT**

The 2006 Comprehensive Plan recommends the creation of a new medium density single family zoning district, proposed for application in three areas: Wales Subdivision on Ironbound Road (presently zoned RS-2), West Williamsburg Area along Lafayette Street (presently zoned RS-2), and the North Henry Street/Scotland Street area (presently zoned RDT). This was originally scheduled to be considered towards the end of the implementation process, but Planning Commission decided that this district should be created in conjunction with the rezoning of the North Henry Street/Scotland Street area, so as to avoid the interim step of rezoning from RDT to RS-2.

The RS-3 District will have a higher density than the RS-2 District, but a lower density than the RDT District. The differences between the three single family districts, and single family in the RDT District, are listed below:

<b><u>District</u></b>	<b><u>Average Lot Area</u></b>	<b><u>Minimum Lot Area</u></b>	<b><u>Lot Width</u></b>	<b><u>Front Yard</u></b>	<b><u>Side Yard</u></b>	<b><u>Rear Yard</u></b>
RS-1	20,000	17,500	100	35	15	25
RS-2	12,500	10,000	80	35	10	25
RS-3	7,000	5,000	50	25	7.5	25
RDT	*	*	50	25	7.5	25

\* There is no average or minimum lot area specified in the RDT District for single family uses – the density allowed is 8 dwelling units/net acre.

The average lot area of 7,000 square feet gives an approximate density of 5 dwelling units/net acre, which includes the land used for public streets providing access to the lots (assumed to be 20% of the total). The minimum lot width of 50 feet is exceeded by most of the lots in the North Henry/Scotland Street area, but there are many 50 foot lots in the two other areas that this district will apply to (Wales Subdivision and West Williamsburg Heights on Lafayette Street). The 7.5 foot side yard requirement is the same as the RDT side yard requirement that is now in place for this area, and provides additional flexibility for building on these smaller lots.

The uses in the RS-3 District are similar to the uses allowed in the RS-1 and RS-2 District. The only residential use allowed is single family detached dwellings. Permitted with a special exception by the Board of Zoning Appeals are accessory apartments for elderly or handicapped relatives of the owner-occupant (also allowed in the RS-1 and RS-2 Districts) and rental of bedrooms to roomers and visitors (commonly referred to as the B&B regulations). Permitted with a special use permit by City Council are cemeteries, churches, day care centers located in the same building as a church or public or private school, playgrounds and parks, public buildings, and public or private schools.

The detailed regulations are spelled out in the attached ordinance creating the RS-3 District.

### **PCR #06-027 – REZONING 13.96 ACRES AT N. HENRY STREET/SCOTLAND STREET FROM RDT TO RS-2**

This change rezones 13.96 acres on the east side of North Henry Street at Scotland Street from Downtown Residential District RDT to Single Family Dwelling District RS-3. This is designated by the 2006 Comprehensive Plan as Medium Density Single Family Detached Residential land use. The properties included in the rezoning are 245, 321, 327, 331 and 333 North Henry Street; and 312, 321, 322, 333, 341 and 349 Scotland Street. It was decided during the Comprehensive Plan process that this area should be zoned for single family since all of the houses in this area are single family detached dwellings. This area is designated by the 2006 Comprehensive Plan as Medium Density Single Family Detached Residential, 5 dwelling units/net acre. The average lot size for subdivisions of two or more lots is 7,000 square feet, and the minimum lot size is 5,000 square feet. There are presently nine single family detached dwellings, and two vacant lots that could be developed with single family dwellings. The table below lists the properties that will be located in the proposed RS-3 District:

<u>Address</u>	<u>Use</u>	<u>Lot Size</u>	<u>Lot Width</u>	<u>Front Yard</u>
245 N. Henry St.	Single Family (2 units)	9,148 sq.ft.	85 feet	30 feet
321 N. Henry St.	Single Family	9,583 sq.ft.	65 feet	58 feet
327 N. Henry St.	Single Family	18,731 sq.ft.	122 feet	35 feet
331 N. Henry St.	Single Family	7,841 sq.ft.	53 feet	40 feet
333 N. Henry St.	Single Family	9,583 sq.ft.	60 feet	40 feet
312 Scotland St.	Armistead\Prentis Cemetery	435 sq.ft.	57 feet	--
321 Scotland St.	Single Family	9,165 sq.ft.	67 feet	32 feet
322 Scotland St.	Single Family	17,860 sq.ft.	92 feet	20 feet
333 Scotland St.	Vacant	8,303 sq.ft.	55 feet	--
341 Scotland St.	Vacant	11,517 sq.ft.	65 feet	--
349 Scotland St.	Single Family	10,454 sq.ft.	67 feet	19 feet

Lot size, lot width and front yard figures based on City tax records, street construction drawings and plats.

#### **PCR #06-028 – RDT ZONING TEXT AMENDMENTS**

This change amends the text of the RDT Downtown Residential District by allowing residential density to be increased to 22 dwelling units/net acre with a special use permit approved by City Council. A density of 8 dwelling units/net acre will be allowed by right. In the RDT District, single family detached dwellings and duplexes are allowed by right, and multifamily dwellings (condominiums and apartments) and townhouses with a special use permit.

#### **PCR #06-029 – REZONING 6.70 ACRES ON THE WEST SIDE OF SOUTH HENRY STREET SOUTH OF SOUTH BOUNDARY STREET FROM RM-1 TO RDT**

This change rezones 6.70 acres on the west side of South Henry Street south of South Boundary Street from RM-1 Multifamily Dwelling District to RDT Downtown Residential District. This area is designated by the 2006 Comprehensive Plan as Downtown Residential land use. Properties included in the proposed rezoning are 604, 608, 610, 616, 618, 620, 621, 622, 623, 624, 626, 628, 700, 702-1, 706, 708-1>708-10 South Henry Street. The RM-1 District allows 8 dwelling units/net acre by right. The RM-1 District allows single family detached dwellings, duplexes, and townhouses by right, and multifamily dwellings (condominiums and apartments) with a special use permit. The proposed RDT District allows 8 dwelling units/net acre by right, and 22 dwelling units/net acre with a special use permit. The proposed RDT District allows single family detached dwellings and duplexes by right, and multifamily dwellings (condominiums and apartments) and townhouses with a special use permit.

Two development concepts have been identified for this area. No specific designs have been submitted, so the following analysis is conceptual in nature. Much more information would be required if an actual proposal was submitted for approval. Although specific unit types have been identified in these concepts, this could change when final plans are submitted. The proposed RDT District allows townhouses and multifamily dwellings (condominiums and apartments) with a special use permit, and single family dwellings and duplex dwellings by right.

**The Digges/Hickman concept** would develop 12 condominium flats on a 0.58 acre parcel, which could be approved only if the density were changed to 22 dwelling units/net acre.

<b><u>Density</u></b>	<b><u>Maximum Dwelling Units Allowed</u></b>
8 dwelling units/net acre	4 dwelling units
14 dwelling units/net acre	8 dwelling units
16 dwelling units/net acre	9 dwelling units
18 dwelling units/net acre	10 dwelling units
22 dwelling units/net acre	12 dwelling units

**The Blum concept** would develop 29 townhouse style condominiums on 1.54 net acres (I understand that condominium flats are now being considered as a part of the mix), which could be approved only if the density were changed to 22 dwelling units/net acre (up to 33 dwelling units would be allowed).

<b><u>Density</u></b>	<b><u>Maximum Dwelling Units Allowed</u></b>
8 dwelling units/net acre	12 dwelling units
14 dwelling units/net acre	21 dwelling units
16 dwelling units/net acre	24 dwelling units
18 dwelling units/net acre	27 dwelling units
22 dwelling units/net acre	33 dwelling units

## **STAFF RECOMMENDATIONS**

This package of changes implements the recommendations of the 2006 Comprehensive Plan, which was adopted by City Council on October 12, 2006, and staff recommends the following:

### **PCR #06-025 – LB-3 Zoning Text Amendments**

Approve increasing the residential density to up to 14 dwelling units/net acre with a special use permit (8 units/net acre base density), and approve adding multifamily dwellings as a special use permit use, both as detailed in the attached ordinance.

### **PCR #06-026 – Creation of a new RS-3 District**

Approve the new RS-3 Single Family Dwelling District, as detailed in the attached ordinance.

### **PCR #06-027 – Rezoning 13.96 acres at N. Henry St./Scotland St. from RDT to RS-3**

Approve the rezoning, as detailed in the attached ordinance.

### **PCR #06-028 – RDT Zoning Text Amendments**

Approve increasing the residential density to up to 22 dwelling units/net acre with a special use permit (8 units/net acre base density), as detailed in the attached ordinance.

### **PCR #06-029 – Rezoning 6.70 acres on the west side of S. Henry St. south of S. Boundary St. from RM-1 to RDT**

Approve the rezoning, as detailed in the attached ordinance.

## **PLANNING COMMISSION RECOMMENDATIONS**

Planning Commission held a public hearing on these cases on November 15, and 12 citizens spoke at the hearing. Planning Commission made the following recommendations to City Council:

### PCR #06-025 – LB-3 Zoning Text Amendments

Approve increasing the residential density to up to 14 dwelling units/net acre with a special use permit (8 units/net acre base density), and approve adding multifamily dwellings as a special use permit use, both as detailed in the attached ordinance; both as detailed in the attached Proposed Ordinance #06-29. The Commission's recommendation was by a vote of 7-0.

### PCR #06-026 – Creation of a new RS-3 District

Approve the new RS-3 Single Family Dwelling District, as detailed in the attached Proposed Ordinance #06-30. The Commission's recommendation was by a vote of 7-0.

### PCR #06-027 – Rezoning 13.96 acres at N. Henry St./Scotland St. from RDT to RS-3

Approve the rezoning, as detailed in the attached Proposed Ordinance #06-31. The Commission's recommendation was by a vote of 7-0.

### PCR #06-028 – RDT Zoning Text Amendments

Approve increasing the residential density to up to 22 dwelling units/net acre with a special use permit (8 units/net acre base density), as detailed in the attached Proposed Ordinance #06-32. The Commission's recommendation was by a vote of 4-3.

### PCR #06-029 – Rezoning 6.70 acres on the west side of S. Henry St. south of S. Boundary St. from RM-1 to RDT

Approve the rezoning, as detailed in the attached Proposed Ordinance #06-33. The Commission's recommendation was by a vote of 5-2.

## **SUGGESTED ACTION BASED ON THE COMMISSION'S RECOMMENDATIONS**

### PCR #06-025 – LB-3 Zoning Text Amendments

Approve Proposed Ordinance #06-29.

### PCR #06-026 – Creation of a new RS-3 District

Approve Proposed Ordinance #06-30.

### PCR #06-027 – Rezoning 13.96 acres at N. Henry St./Scotland St. from RDT to RS-3

Approve Proposed Ordinance #06-31.

### PCR #06-028 – RDT Zoning Text Amendments

Approve Proposed Ordinance #06-32.

### PCR #06-029 – Rezoning 6.70 acres on the west side of S. Henry St. south of S. Boundary St. from RM-1 to RDT

Approve Proposed Ordinance #06-33.



Reed T. Nester, AICP  
Planning Director